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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO |
|---------------------------------|-------------------|----------------------|-------------------------|-----------------|
| 10/661,092 | 09/12/2003 | Justin Lee Wicker | BLBL121582 | 6590 |
| 26389 7. | 7590 10/18/2004 | | EXAMINER | |
| | EN, O'CONNOR, JOH | CHAPMAN, JEANETTE E | | |
| 1420 FIFTH AVENUE SUITE 2800 | | | ART UNIT | PAPER NUMBER |
| SEATTLE, WA 98101-2347 | | | 3635 | |
| | | | DATE MAILED: 10/18/2004 | 4 |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | Application No. | Applicant(s) | | | |
|---|--|---|--|--|--|--|
| Office Action Summary | | 10/661,092 | WICKER, JUSTIN LEE | | | |
| | | Examiner | Art Unit | | | |
| | | Chapman E Jeanette | 3635 | | | |
| Th Period for Re | e MAILING DATE of this communication app ply | ears on the cover sheet with the c | orrespondence address | | | |
| THE MAIL - Extensions after SIX (6 - If the period - If NO period - Failure to re Any reply re | ENED STATUTORY PERIOD FOR REPLY LING DATE OF THIS COMMUNICATION. of time may be available under the provisions of 37 CFR 1.13 MONTHS from the mailing date of this communication. If for reply specified above is less than thirty (30) days, a reply dor reply is specified above, the maximum statutory period we ply within the set or extended period for reply will, by statute, seceived by the Office later than three months after the mailing ent term adjustment. See 37 CFR 1.704(b). | of(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days fill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE | nely filed s will be considered timely. the mailing date of this communication. O (35 U.S.C. § 133). | | | |
| Status | | | | | | |
| 1)⊠ Res | ponsive to communication(s) filed on 12 Se | eptember 2003. | | | | |
| 2a)☐ This | This action is FINAL. 2b)⊠ This action is non-final. | | | | | |
| • | ce this application is in condition for allowar | | | | | |
| clos | ed in accordance with the practice under <i>E</i> | x parte Quayle, 1935 C.D. 11, 45 | 33 O.G. 213. | | | |
| Disposition of | of Claims | | | | | |
| 4)⊠ Cla | m(s) 1-20 is/are pending in the application. | | | | | |
| 4a) | Of the above claim(s) is/are withdraw | vn from consideration. | | | | |
| • | im(s) is/are allowed. | | | | | |
| · · | im(s) <u>1-20</u> is/are rejected. | | | | | |
| • | im(s) is/are objected to. | | | | | |
| 8)∐ Cla | im(s) are subject to restriction and/or | r election requirement. | | | | |
| Application I | Papers | | | | | |
| 9) <u></u> The | specification is objected to by the Examine | r. | | | | |
| 10) The | drawing(s) filed on is/are: a) acce | epted or b) \square objected to by the I | Examiner. | | | |
| | licant may not request that any objection to the | | | | | |
| • | lacement drawing sheet(s) including the correct | | | | | |
| 11) <u></u> The | oath or declaration is objected to by the Ex | aminer. Note the attached Office | Action or form PTO-152. | | | |
| Priority unde | er 35 U.S.C. § 119 | | | | | |
| a) | Certified copies of the priority documents Certified copies of the priority documents | s have been received. s have been received in Applicati ity documents have been receive ı (PCT Rule 17.2(a)). | on No ed in this National Stage | | | |
| Attachment(s) | 01.14972.222 | о п | (DTO 442) | | | |
| | References Cited (PTO-892) Draftsperson's Patent Drawing Review (PTO-948) | 4) Interview Summary Paper No(s)/Mail Da | ate | | | |
| 3) 🛛 Informatio | n Disclosure Statement(s) (PTO-1449 or PTO/SB/08) s)/Mail Date <u>6/25/04</u> . | | ratent Application (PTO-152) COPY WANNOTTOWS | | | |

Application/Control Number: 10/22

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Art Unit: 3635

35 USC 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feigenbaum '314 in view of Maguire (5150485). Feigenbaum discloses an anchoring device for securing a cover to a ground comprising:

- a body 12 /14 having an upper end portion 12 and a lower end portion
 14 which are integral with the body and remote from each other;
- the upper end of the body includes an integral first feature forming a first half of a clamp; see annotations on patent copy;
- the lower end of the body includes an integral second feature forming a stake; the stake is at the lower end of the body and configured to secure the body to the ground;
- A third feature forming the second half of the clamp; the third feature is not integral with the body but engages the body at a position opposite the first half of the anchoring clamp; the first and second halves of the clamp cooperate to secure the cover to the body.
- The anchoring device includes a biasing mechanism that exerts a force which biases the first and third features together to provide a clamping force for the anchoring clamp;

Art Unit: 3635

The third feature is configured of two or more biasing parts/mechanisms 30/34/36 and 44/46/48 that that engage the body at a position opposite the first half of the clamp and cooperate with the first half of the clamp

- The body includes a tail 14;
- The second half of the anchoring clamp is hingedly attached to the body opposite the first half of the clamp; the pivot point 34 of the hinge is positioned within the upper end portion of the body remote from the second feature of forming the stake;
- The first half of the clamp includes protrusions 32 that mate with the second half of the clamp 18; the protrusions are teeth 32; it would have been obvious to make an clip with mating upper and lower teeth as conventional alligator clips include the above structure for a stronger holding force;
- The body includes a cavity 52 to accept material 58 that adds weight to the body to further secure the body to the ground; see figures 8 and 7. The above elements are not configured to form a living creature. However, the beach blanket anchor of Maguire. Maguire shows a living creature with legs.

It would have been obvious to one of ordinary skill in the art to modify

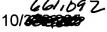
Feigenbaum to include a body form of a living creature as taught by the

secondary reference in order to provide aesthetic appeal to the device. The

particular parts of the living creature performing the functional aspects of the

clamp have been considered a matter of choice; this choice has no significance

Application/Control Number: 10/33



Art Unit: 3635

the function and overall structure of the device. One of ordinary skill in the art would have appreciated coordinating the functional features with the parts of the living creature in order to more readily emulate the actual living creature without the anchor and clamping structure taking from the actual appearance of the device.

Hook and loop material is commonly employed over conventional fasteners because of the inherent adjustability and fastening features. Further, one of ordinary skill in the art would have appreciated employing VELCRO over conventional fastener as the hook and loop material is less harmful than the sharp teeth of Feigenbaum.

Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feigenbaum '314 in view of Maguire (5150485) as applied to claim 1 and further in view of Griffiths et al (5832672). Feigenbaum lacks the second feature including a hook and the second feature forming the stake is configured in two or more parts positioned at the end of the body; the tow or more parts forming separate stakes that are configured to secure the body to the ground. Griffiths et al shows a beach blanket anchor device including a hook 74 and the second feature forming the stake is configured in two or more parts 56/58 positioned at the end of the body; the two or more parts forming separate stakes 56/58 that are configured to secure the body to the ground. It would have been obvious to one of ordinary skill in the art to modify Feigenbaum to include the recited stake as

Application/Control Number: 10/26

Art Unit: 3635

shown by Griffiths et al in order to provide a stronger attachment to the ground for the anchor. For the limitations of claim 20 see obviousness rational above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chapman E Jeanette whose telephone number is 703-308-1310. The examiner can normally be reached on Mon.-Fri, 8:30-6:00, every other fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Friedman Carl can be reached on 703-308-0839. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Janette Ellagma Jeanste Charman Primary Examiner

PATENT COPY W/ANNOTATIONS

US005176354A

United States Patent [19] [11] Patent Number: 5,176,354
Feigenbaum, Jr. [45] Date of Patent: Jan. 5, 1993

| [54] | BLANKE | T AN | CHOR |
|------|--------------|--------|--|
| [76] | Inventor: | | rgil P. Feigenbaum, Jr., 305 Eric ., Woodstock, Ga. 30188 |
| [21] | Appl. No. | : 861 | 7,322 |
| [22] | Filed: | Аp | r. 13, 1992 |
| [51] | Int. Cl.5 | | A47B 97/00 |
| [52] | U.S. Cl | •••••• | 248/508; 135/118 248/150 |
| [58] | Field of Se | earch | 248/508, 545, 156 52/155, 153; 135/118; 5/419 |
| [56] | | R | eferences Cited |
| | U.S. | PAT | ENT DOCUMENTS |
| | 1,854,671 4/ | 1932 | Roberts 52/155 X |
| | 2,647,718 8/ | 1953 | Disera 248/508 |
| | 2.939.468 6/ | 1960 | Boyce 135/119 |

| 3,241,202 | 3/1966 | Knauft | 135/118 X |
|-----------|--------|-------------------|-----------|
| 3,456,660 | 7/1967 | Borchardt | 135/118 |
| | | Balicki | |
| 4,927,118 | 5/1990 | Pierorazio | 135/118 X |
| 5,101,525 | 4/1972 | Ippolito | 135/118 X |
| FOR | -10-11 | ATTENT DOOLS (EXE | . |

FOREIGN PATENT DOCUMENTS

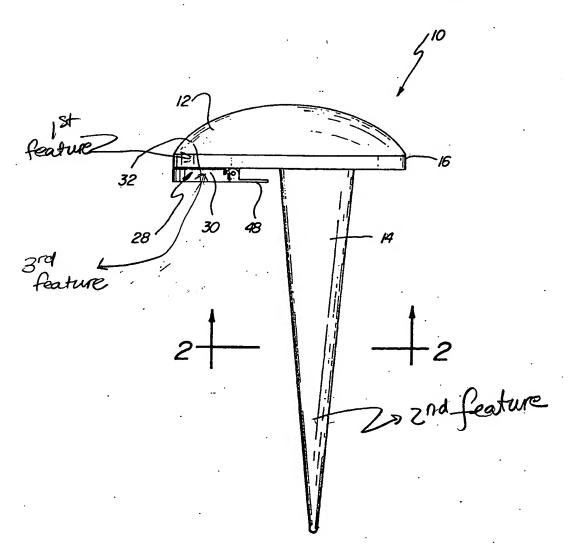
1015922 8/1977 Canada 248/508

Primary Examiner-J. Franklin Foss

[57] ABSTRACT

A portable device for anchoring a blanket in sand or soft earth. In another aspect of the invention, the blanket anchor includes an adapter plug for receivably supporting a dispenser for a useful product (e.g., suntan lotion).

8 Claims, 5 Drawing Sheets



PATENT COPY W/ ANNOTATIONS